

### **Remarks**

Claim 13 has been amended to better define the frame of the sunglasses and to define the securing band as a single band. The support for this can be found in figures 1, 2, 4, 5, 6, 7, 8, and 9.

Claims 13-15 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Hoff (5,406,340).

Hoff discloses infant-to-toddler eye wear including head strap comprises frame (12,14) for holding two lenses (16,18), the frame secured to a head by a band, said band secured to the frames by two securing pieces (34 a, 36a) including Velcro is used for both securing pieces and the band can be totally removed from the frame and replaced with other similar band (see figures 3, 4 and the related disclosure.)

Hoff relates to eye wear for infants and toddlers which comprises first and second resilient frames disposed about respective first and second eye lenses. The first and second frames include a flexible, adjustable nose bridge therebetween adapted to engage the bridge of the child's nose and first and second outer frame loops extending from the respective first and second frames toward and stopping short of the child's ears. First and second temple straps are provided each having one end looped about the respective first and second outer frame loops and an opposite end forming respective first and second strap loops. The eye wear includes first and second head straps extending through the respective first and second strap loops to hold the frames on the child's face. The first and second head straps have lower strap portions for extending about the posterior of the child's head and upper strap portions

for extending over the child's head forwardly of the soft spot of the child's head. The lower strap portions are fastenable in adjustable overlapped relation behind the child's head and the upper strap are fastenable in adjustable overlapped relation on the child's head.

The first and second head straps each preferably include an elastic region for holding the frames under tension on the child's face when the lower and upper head strap portions are fastened, whereby the lens frames can angularly conform to the face of the child about the flexible nose bridge.

The lenses are housed or supported in soft, resilient, pliable first and second frames.

Amended claim 13 requires that the sunglasses consist of solid frames which consist of a one piece solid molded frame and the frames being secured by a single band. Hoff requires several bands to secure the frames to the head. Further Hoff teaches that the frames are in two pieces separated by an attachment which attaches split apart frames. Further Hoff teaches that the frames are pliable and not solid as taught in the amended claims. For these reasons claims 13-15, are not anticipated or obvious over Hoff.

Claims 13-15 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Sadowsky (5,042,094).

Sadowsky discloses eyewear with prosthetic parts for small children comprises frame (30) for holding two lenses (20), the frame secured to a head by a band (40), said band (40) secured to the frames by two securing pieces (42) including Velcro is



used for both securing pieces and the band (40) can be totally removed from the frame and replaced with other similar band (see figure 1 and the related disclosure.)

Sadowsky relates to eye wear which has a padded and pliable frame. Specifically designed nose and temple pieces are incorporated into the frame to provide support for the frame on the baby's face. The frames are made with spongy material.

Amended claim 13 requires that the sunglasses consist of solid frames which consist of a one piece solid molded frame and the frames being secured by a single band. Sadowsky that the frames are pliable and not solid as taught in the amended claims. Further Sadowsky requires nose and temple pieces for supporting the frame of the baby's face. For these reasons claims 13-15, are not anticipated or obvious over Sadowsky.

Applicant believes the application is in condition for allowance.

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